



Area Planning Department For Vigo County

159 Oak Street, Terre Haute, Indiana 47807

Telephone: (812) 462-3354

Fax: (812) 234-3248

Terre Haute • West Terre Haute • Riley • Seelyville

DATE: June 8, 2017

REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO
SPECIAL ORDINANCE NUMBER #26-17

CERTIFICATION DATE: June 7, 2017


TO: The Honorable Common Council of the City of Terre Haute

Dear Members,

The Vigo County Area Plan Commission offers you the following report and certification on Special Ordinance No. 26-17. This Ordinance is a rezoning of the property located at 3951 E. Margaret Dr. The Petitioner, Scott C. Dyer, petitions the Plan Commission to rezone said real estate from zoning classification 0-1 to C-3, Regional Commerce District, for an entryway to heavy machine dealership. The Ordinance was published in the Tribune-Star Newspaper in accordance with IC 5-3-1 and Division XIII of the Comprehensive Zoning Ordinance. Further, this ordinance was posted by the City Building Inspection Department in accordance with IC 36-7-4-604(c).

The Area Plan Commission considered Special Ordinance No. 26-17 at a public meeting and hearing held Wednesday, June 7, 2017. Remonstrators were not present. At this meeting, a quorum was present throughout the meeting pursuant to IC 36-7-4-301, and the Area Plan Commission took official action on Special Ordinance No. 26-17 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 26-17 as required by IC 36-7-4-401(a)(7) and IC 36-7-4-605(c).

Therefore, Area Plan Commission's certified recommendation on Special Ordinance No. 26-17 was FAVORABLE WITH THE FOLLOWING CONDITIONS: 1) Landscape Plan be submitted and approved by the City; 2) A completed and updated detailed Site Plan be submitted and approved; 3) All drive cut related designs be approved by City Engineering.



Fred L. Wilson, President



Jared Bayler, Executive Director

Received this 8th day of June, 2017

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APPLICATION INFORMATION

Petitioner: Scott D. Dyer

Property Owner: Same as Above

Representative: Richard J. Shagley II

Proposed Use: Entryway to heavy machine dealership

Proposed Zoning: C-3, Regional Commerce District

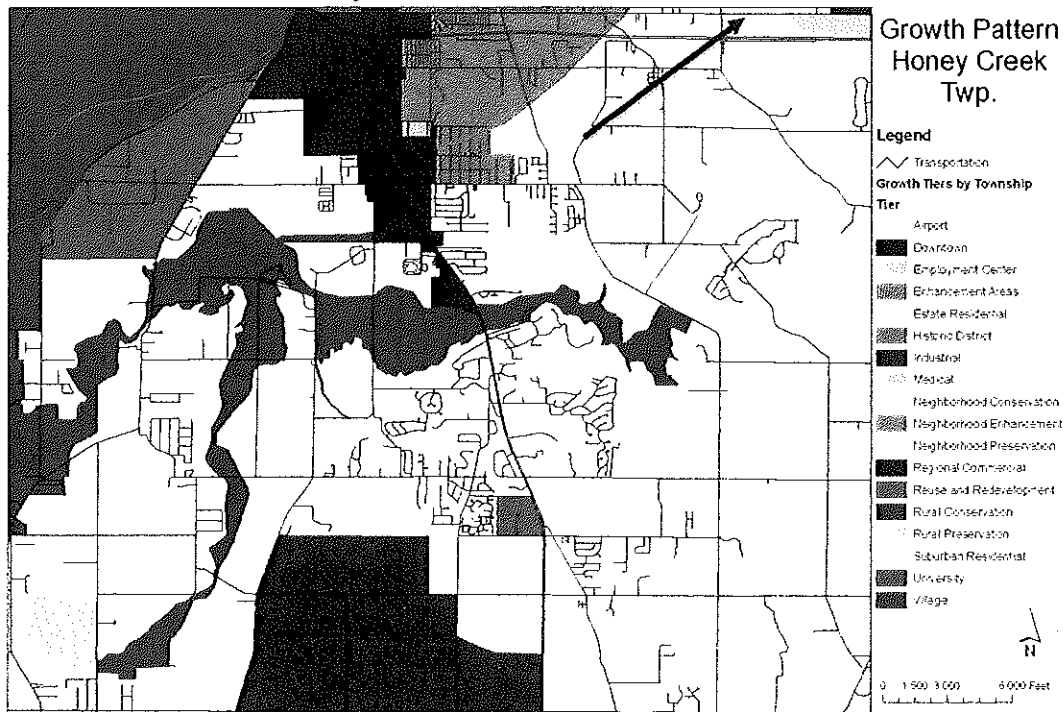
Current Zoning: O-1, Agricultural District

Location: The property is located east of the corner of the intersection of Fruitridge and E. Margaret Dr.

Common Address: 3951 E. Margaret Dr.

COMPREHENSIVE PLAN GUIDANCE

Service Area: The City of Terre Haute



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Recommended Use: Suburban Residential

These are largely undeveloped areas lying within the boundaries of existing and planned urban services. Current residential densities range from building on lots of ½ acre to 2 acres in size, this should be used as a minimum density. Over time, densities should be encouraged to increase moderately to allow average densities of three to three and one-half (3 to 3.5) households per acre. In the case of all residential densities, densities are stated as an average for the entire area in a given land use categories.

Promotion of monotonous suburban tract housing is not the intent of this growth pattern, although this may be an undesirable consequence. To avoid this outcome, careful consideration of alternative site development schemes should be undertaken by planning, engineering, development and real estate professionals for each new residential tract.

Increasing residential densities within this growth pattern offers four distinct advantages over typical low-density development.

- Optimization of the relationship between public infrastructure capacity and average development densities.
- Reduction in the need for infrastructure extensions and expansions, thereby saving public capital cost.
- Provides pedestrian scale residential neighborhoods, which will blend with existing Terre Haute neighborhoods that were developed at five to seven (5 to 7) units per acre and at the same time provide enhanced opportunities for non-motorized travel.
- Minimize land consumption and limits land disturbance.

Not every new subdivision will provide developed densities approaching four (4) units per acre, yet, as cluster housing, patio homes, variations of zero-lot line housing and integrated neighborhoods of town houses, garden apartment, and single family dwelling units become more common and more fashionable, average densities will increase. Traditionally, allowable densities controlled mix and pattern of suburban residential development. Density, per se, is increasingly viewed by development professionals as only one of many variables that must be considered in making site development decisions. The infrastructure capacity relative to undeveloped areas and special environmental conditions of a specific development site, as well as, the site plan itself and its impact on surrounding property should primarily control the developed density. This should especially be the case as development moves beyond minimum residential densities. In all cases, density and the arrangement of uses on a developed site should be sensitive to surrounding development patterns, making land use transitions within the new development and utilizing natural features as transitions or buffers.

Policies for Suburban Residential areas should include:

- Houses on lots ranging from one-half to two acres depending on wastewater treatment needs.
- The extent of non-residential uses should be limited to parks, churches, and schools.

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- Residential subdivision lots should not have frontage on county roads, rather they should be required to build local level public streets to provide access from the county road to the lots.
- Medium range plans for expanding needed infrastructure should be developed, considering projected demand and funding.

Available Services: Area is well served by utilities and urban services.

Street Access: According to the Site Plan ingress/egress is to be from Margaret Ave.

ZONING COMPATIBILITY

Sur. Zones and Uses:

North – R-1, Single Family Residential,
East – O-1, Agricultural District, R-1
South – C-3 Regional Commerce Dist. & I-70 Corridor
West – C-3 & R-1

ZONING REGULATIONS

C-3 Purpose: The Regional Commerce Zone is designated for all residents in the region of Terre Haute, Indiana, and is not a limited community commerce area (or shopping center); consequently, it shall permit a wide variety of business, commerce, and services with some degree of limited warehousing for those establishments allowed in area. It shall be a major shopping center, definitely limited specific locations and characterized by large establishments generating large volumes of vehicular traffic. The development is characterized by its provision of some degree of comparison-shopping and a complete lack of any attempt to draw pedestrian traffic.

C-3 Uses: Any use permitted in C-1, and C-2, Pet shops, Live professional entertainment and dancing, Schools, Auction rooms, Recreation

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establishments, Automobile sales and service (minor and major repairs) Farm equipment sales and service.

C-3 Standards: Street setback of 50 feet from centerline; rear setback 11' from the rear property line; Interior 5' from the interior lot line, and meet the minimum parking requirement per table 4.

FINDINGS and RECOMMENDATION

In July of 2016 the APC passed on a favorable recommendation on the rezoning of Docket #56 S.O. #18-16 which rezoned a portion of ground bordered by I-70 to the south, Fruitridge on the west and Margaret on the north. The zoning, a C-3, allowed for development of the proposed heavy equipment dealership to commence. Amongst the concerns and subsequent request from the APC was ingress/egress placement be reviewed. The solution was the placement of the commercial ingress/egress along Margret. The rezoning today is in response to that request. The petitioner has agreed to purchase 5 additional acres to the east which has 250 feet of road frontage along Margaret. This should allow for ample space to maneuver commercial traffic into and off of the development. This also moves the commercial entrance further to the east and away from the previously proposed, narrower entrance and exit also along Margaret.

Similar to last time, a new site plan including the new ingress/egress point will need to be submitted and approved. The design of the road cut will need city engineering approval and a landscape plan must be approved where Residential adjoins the C-3 zoning.

Recommendation: Favorable Recommendation on the request to rezone the property to C-3, Regional Commercial with the following conditions.

1. Landscape plan be submitted and approved by the city.
2. A completed and updated detailed site plan be submitted and approved.
3. All drive cut related designs be approved by City Engineering